
REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 17
DATE OF MEETING:	15 August 2019	CATEGORY:
REPORT FROM:	STRATEGIC DIRECTOR SERVICE DELIVERY	OPEN
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SUBJECT:	GYPSY AND TRAVELLERS DEVELOPMENT PLAN DOCUMENT SUSTAINABILITY APPRAISAL & SCOPING REPORT	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS01

1.0 Recommendations

- 1.1 That the Committee notes the proposed approach for considering Gypsy and Travellers (G&T) sites as summarised in this report.
- 1.2 That the Committee authorises the publication of the Council's Scoping Report Document for a statutory five week consultation with the 'Consultation Bodies' and other appropriate stakeholders.

2.0 Purpose of the Report

- 2.1 To outline the scope of the Sustainability Appraisal process proposed to assist in the identification of G&T sites and seek authorisation to consult appropriate Consultation bodies on the scope of the proposed appraisal. The document may also need to assess the needs of Travelling Showpeople.

3.0 Detail

- 3.1 Government Guidance¹ in Paragraph 9 states, "*Local planning authorities should set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in their area*"; and paragraph 19 states, "*Local planning authorities should have regard to the need that travelling showpeople have for mixed-use yards (plots) to allow residential accommodation and space for storage equipment*". As such, Local Authorities are required by Central Government to assess the accommodation requirements of G&T and to develop a strategy that addresses any identified unmet need. The proposed Gypsy, Traveller site allocations Development Plan Document (DPD) will form part of the Local Plan and will identify, safeguard and allocate sites for G&T needs.

1 DCLG "Planning Policy for Traveller Sites", Aug 2015

- 3.2 The Gypsy and Traveller Accommodation Assessment (GTAA) for Derby, Derbyshire, Peak National Park Authority and East Staffordshire published in June 2015 did not find a need for South Derbyshire District Council to identify plots (yards) for travelling showpeople. However, it should be noted that if a future revised GTAA were to result in different findings, it may be necessary for the Council to include requirements for travelling showpeople in the Gypsy and Traveller DPD.
- 3.3 The plan period for the DPD is April 1st 2011 to March 31st 2028. Planning permissions granted since 1st April 2011 therefore contribute to meeting the identified need.
- 3.4 The Derby, Derbyshire, Peak National Park Authority and East Staffordshire GTAA, published in June 2015, sets out the additional need for residential pitches across the area for 2014 – 2034. For South Derbyshire this need is 38 pitches. This is the most recent accepted requirement for the delivery of sites in South Derbyshire. The GTAA identified a need within the District for 14 new pitches over the 5- year period from 1 April 2014 to 31 March 2019, with a subsequent need for 7, 8 and 9 pitches for each 5-year period thereafter up to 2034. Policy H22 of the Part 1 Local Plan commits the Council to allocating new sites to meet this identified need through a DPD. Until a DPD is adopted, the need for G&T pitches will continue to be met through individual applications.
- 3.5 Since 1 April 2014, 15 pitches have been granted permission, which demonstrates that the need for additional pitches is being met and delivered to accord with the requirements of the GTAA. However, notwithstanding the fact that the Council is delivering the necessary pitches, there is also the requirement for the Council to identify a supply of specific sites sufficient to provide a rolling 5 years' worth of sites against the GTAA targets, as required by the Planning Policy for Traveller Sites. This guidance further states that as a minimum, broad locations for growth should be identified for years 6 -10 and years 11-15 where possible. Despite the recent permissions to meet the need between 2014 and 2019, the Council is not currently in a position to demonstrate a sufficient supply of specific sites to meet the need identified within the GTAA. In the absence of a Plan providing a five-year supply of sites, this lack of supply will continue to be a material consideration which will weigh in favour of allowing new sites through the planning application process.
- 3.6 Under the Planning and Compulsory Purchase Act 2004, a Sustainability Appraisal (SA) is mandatory in the preparation of Development Plan Documents that form part of the Local Plan. For these documents it is also necessary to conduct an environmental assessment in accordance with the requirements of the Strategic Environmental Assessment Directive (European Directive 2001/42/EC), as transposed into law in England by the SEA Regulations. Therefore, it is a legal requirement for the Gypsy and Traveller Site Allocations Plan to be subject to SA and SEA throughout its preparation.
- 3.7 The requirements to carry out SA and SEA are distinct, although it is possible to satisfy both using a single appraisal process (as advocated in the National Planning Practice Guidance). The SA process comprises a number of stages, with scoping being the first stage. A summary of the main stages of SA is detailed below:

Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope of the appraisal

Stage B: Developing and refining options (including site allocations) and assessing effects

Stage C: Preparing the Sustainability Appraisal Report

Stage D: Consulting on the Plan and the SA report

Stage E: Monitoring the significant effects of implementing the Plan

- 3.8 Accordingly a draft Scoping Report (annexed to this Committee Report) has been prepared for consultation. This report outlines the Council's proposed approach to sustainability appraisal in preparing the Plan and specifically sets out the framework against which sites promoted by landowners or other interested parties can be reviewed. The results of the Sustainability Appraisal will subsequently help inform the sites selected for allocation to meet identified G&T accommodation needs.
- 3.9 However, before the scope of the Sustainability Appraisal can be finalised there is a legislative requirement for the Council to consult on the proposed scope of the SA. This consultation must be undertaken for a period of five weeks and views must be sought from the Environment Agency, Natural England, and Historic England (known collectively as the Consultation Bodies). However, in line with previous scoping consultations undertaken by this Council, views will also be sought from other environmental bodies and governance agencies such as the wildlife trust, local NHS trusts and Derbyshire Constabulary, as well as adjoining district Councils, and South Derbyshire Parish Councils (a full list of proposed consultees is set out in section 6.1.3 of the draft scoping report). It is also proposed that the scoping report be made available on the Council's website in order that members of the public can comment on the scope of the appraisal if they wish.
- 3.10 Following the consultation, it is likely that a number of technical changes will be made to the Scoping Report, and more notably the SA framework which it includes, and an updated version of the Scoping Report placed on the Council's website. Any sites put forward for allocation will then be tested against the updated SA framework and the result of the Sustainability Appraisal, and details of how the Sustainability Appraisal has informed site selection published alongside any future plan.

4.0 Financial Implications

- 4.1 There are no direct financial implications from this report.

5.0 Corporate Plan Implications

- 5.1 The adoption of a complete South Derbyshire Local Plan is a key priority of the District Council and is included as an action within the Corporate Plan.

Employment Implications

- 5.2 None identified

Legal Implications

- 5.3 It is a statutory requirement to undertake a Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment regulations in producing a Development Plan Document.

Risk Impact

- 5.4 None identified

6.0 Community Impact

Consultation

- 6.1 Consultation on the Scoping Report for the Gypsy and Traveller Site Allocations Plan will take place for a five week period with relevant Consultation Bodies and stakeholders as required by statute.

Equality and Diversity Impact

- 6.2 The preparation of the Plan will identify opportunities to deliver local housing needs for Gypsies and Travellers who are a protected group under the 2010 Equalities Act.

Social Value Impact

- 6.3 Beneficial. This Sustainability Appraisal process a key part plan-making and enables plan making to have regard to social effects of the proposed plan.

Environmental Sustainability

- 6.4 Beneficial. This Sustainability Appraisal process a key part plan-making and enables plan making to have regard to environmental effects of the proposed plan.

7.0 Corporate Plan Implications

- 7.1 The adoption of a complete South Derbyshire Local Plan is a key priority of the District Council and is included as an action within the Corporate Plan. Moreover the Corporate Plan seeks to facilitate and deliver a range of integrated and sustainable housing and community infrastructure. It also seeks to protect and help support the most vulnerable, including those affected by financial challenges, and promote inclusion.

8.0 Community Impact

- 8.1 The Local Plan Part 1 set out the requirement for the Gypsy and Traveller Site Allocations Plan to ensure that all housing need is considered across the District. In the absence of the Plan the Council will continue to take ad-hoc, rather than strategic approach to development and will not be able to directly control the location of future gypsy and traveller sites.

9.0 Conclusions

- 9.1 The Derby, Derbyshire, Peak National Park Authority and East Staffordshire GTAA, published in June 2015, sets out the additional need for residential Gypsy and Traveller pitches in South Derbyshire. In order to comply with national policy requirements to identify a supply of specific sites sufficient to provide a rolling 5 years' worth of sites the Council will need to allocate new sites to meet identified needs. The Part 1 Local Plan commits to meeting this need through the preparation of a Gypsy and Traveller DPD. The Scoping report will support the preparation of this Plan and provide part of the evidence that will be used to assess sites put forward for meeting identified Gypsy and Traveller Accommodation needs.

10.0 Background Papers

Draft Scoping Report for the South Derbyshire Gypsy and Traveller Site Allocations Plan